

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

Marci Pacifico  
610 Portledge Drive  
Brwyn Mawr PA 19016  
(In the space above enter the full name(s) of the plaintiff(s).)

- against -

Marci Hubbard / SBI -  
Sperts Dimensions Inc  
9219 Woodshell Lake Drive  
Waxhaw, NC 28123

**COMPLAINT**

Jury Trial: ☒ Yes ☐ No

(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

**I. Parties in this complaint:**

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff	Name	<u>Marci Pacifico</u>
	Street Address	<u>610 Portledge Drive</u>
	County, City	<u>Delaware County Brwyn Mawr</u>
	State & Zip Code	<u>Pennsylvania</u>
	Telephone Number	<u>610-416-3543</u>

- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name Marc Hubbard/SDE Sports Dimensions Inc  
 Street Address 9219 Woodhall Lake Drive  
 County, City Union County Waxhaw  
 State & Zip Code NC 28173

Defendant No. 2

Name \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_

Defendant No. 3

Name \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_

Defendant No. 4

Name \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_

## II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

- A. What is the basis for federal court jurisdiction? (check all that apply)
- ☐ Federal Questions ☒ Diversity of Citizenship

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship Pennsylvania

Defendant(s) state(s) of citizenship North Carolina

### III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? Delaware County, Pennsylvania  
April 30, 2009 2:00 p.m.  
Money was wired \$3,000 to Marc Hubbard's account  
SDI

B. What date and approximate time did the events giving rise to your claim(s) occur? See  
April 30, 2009 2:00 p.m. money (\$30,000) was wired to  
Marc Hubbard / SDI account

What happened to you?

C. Facts: I signed a promissory note with SDI and Marc Hubbard  
individually on April 9, 2009 being the lender to Marc of \$30,000  
He was to pay me 15% return 4,500 equalling 34,500  
(Principal plus interest) in 90 days from the date of the note.  
On April 30th Marc Hubbard called me and emailed  
me that I can take my 34,500 add 65,500 and get  
a return of 25% in 90 days (by July 31, 2009)  
65,500 was wired to Marc Hubbard's account on May 11, 2009  
SDI agreed to pay me a 25% return. See attached  
contract and promissory note equalling 125,000  
On the face of the promissory note collateral: Surety bond  
was guaranteed by Marc Hubbard SDI. Marc saw it  
was in place for the 125,000. SDI / Marc Hubbard  
was notified by me in May 2009 verbally and in  
writing July, 2009 to wire my investment to my  
account I did not want to reinvest. Marc Hubbard  
did not comply. He also informed me that I could  
not collect on the Surety bond, which I had  
question the validity of it. Marc stalled me for  
over six months saying the money would  
definitely be wired to me. over time I only  
got \$12,500 wired to me. Attempted to work out a  
payment arrangement to no avail. Please see attached  
emails showing the defendant states my money is  
on its way.

Who did what?

Was anyone else involved?

Who else saw what happened?

**IV. Injuries:**

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

As a result (direct) of the breach of contract I have suffered tremendously emotionally and financially. I have been experiencing and continue to experience loss of sleep, mental anguish, lack of concentration, loss of wages and humiliation. On going time and effort have gone into trying to recoup my losses investment with Marc Hubbard SAT

**V. Relief:**

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

I am seeking a judgement against the Defendant which would include my initial investment, late fee, legal advice, court fees interest (as noted and layed out by Marc Hubbard's promissory note and contract)

To date totaling \$155,000.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 21 day of January, 2010.

Signature of Plaintiff Francis Pucy, Jr.  
Mailing Address 6010 Portledge Drive  
Bryn Mawr, PA 19010

Telephone Number 610-416-3543

Fax Number (if you have one) 610-526-2194

E-mail Address mpacific@aol.com

*this is the number 1*

**Note:** All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

**For Prisoners:**

I declare under penalty of perjury that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I am delivering this complaint to prison authorities to be mailed to the Clerk's Office of the United States District Court for the Eastern District of Pennsylvania.

Signature of Plaintiff: \_\_\_\_\_

Inmate Number \_\_\_\_\_